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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 ERIC LAWRENCE WRIGHT,

11 Plaintiff,

12 v.

13 CITY OF TACOMA, et al.,

14 Defendants.

Case No. C08-5388RBL

ORDER

15 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate  
16 Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record,  
17 does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation;
- 19 (2) Plaintiff's causes of action are DISMISSED due to Plaintiff's failure to properly respond to  
20 the court's order to show cause and pursuant to Heck v. Humphrey, 114 S.Ct. 2364  
21 (1994);
- 22 (3) Plaintiff's pending motions, [Dkt. #'s 34 and 36], are denied as being moot;
- 23 (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel of  
24 record, and to the Hon. J. Kelley Arnold.

25 DATED this 23<sup>rd</sup> day of December, 2008.

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27 RONALD B. LEIGHTON  
28 UNITED STATES DISTRICT JUDGE